

AMENDED IN ASSEMBLY MARCH 31, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 316

Introduced by Assembly Member Nakanishi

February 10, 2005

An act to amend Section ~~7005~~ 7122.2 of the Business and Professions Code, relating to contractors.

LEGISLATIVE COUNSEL'S DIGEST

AB 316, as amended, Nakanishi. ~~Contractors' State License Board~~ *Contractors: arbitration.*

Under existing law, the disassociation of any qualifying partner, responsible managing officer, or responsible managing employee from a license that has been referred to arbitration does not relieve the qualifying partner, responsible managing officer, or responsible managing employee from responsibility for complying with an award rendered as a result of an arbitration referral.

This bill would instead require a disassociated qualifying partner, responsible managing officer, or responsible managing employee to comply with an arbitration award rendered as a result of acts or omissions committed while acting as the qualifying partner, responsible managing officer, or responsible managing employee.

~~The Contractors' State License Law provides for licensing and regulation of contractors by the Contractors' State License Board. Existing law authorizes the Governor to remove any member of the board for specified reasons.~~

~~This bill would make a nonsubstantive change to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 7005 of the Business and Professions~~
2 ~~Code is amended to read:~~

3 ~~7005. The Governor may remove any member of the board~~
4 ~~for misconduct, incompetency, or neglect of duty.~~

5 ~~SECTION 1. Section 7122.2 of the Business and Professions~~
6 ~~Code is amended to read:~~

7 ~~7122.2. (a) Notwithstanding Section 7068.2 or any other~~
8 ~~provisions of this chapter, the disassociation of any qualifying~~
9 ~~partner, responsible managing officer, or responsible managing~~
10 ~~employee from a license that has been referred to arbitration~~
11 ~~pursuant to Section 7085 shall not relieve the qualifying partner,~~
12 ~~responsible managing officer, or responsible managing employee~~
13 ~~from the responsibility for of complying with the an arbitration~~
14 ~~award rendered as a result of an arbitration referral acts or~~
15 ~~omissions committed while acting as the qualifying partner,~~
16 ~~responsible managing officer, or responsible managing employee~~
17 ~~for the license as provided under Sections 7068 and 7068.1.~~

18 ~~Section~~

19 ~~(b) Section 7122.5 shall apply to any qualifying partner,~~
20 ~~responsible managing officer, or responsible managing employee~~
21 ~~of a licensee that fails to comply with an arbitration award once it~~
22 ~~is rendered.~~